

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:11-cv-72-RJC-DSC

TERRY C. BURRIS, )  
Plaintiff, )  
vs. )  
COMMISSIONER OF SOCIAL )  
SECURITY, )  
Defendant. )

**THIS MATTER** comes before the Court on Plaintiff Terry Burris's ("Plaintiff") Complaint, (Doc. No. 1), Defendant Michael Astrue's Answer, (Doc. No. 8), and the Court's Pretrial Scheduling Order, (Doc. No. 10).

This case stems from an appeal of the Social Security Administration's denial of benefits. The Court ordered Plaintiff to file his motion for summary judgment and supporting memorandum of law by June 7, 2011. Plaintiff has failed to obey this Order or file anything in this case since April 2011.

If the plaintiff fails to prosecute or to comply with a court order, the Court may dismiss the plaintiff's case with prejudice. Link v. Wabash R. Co., 370 U.S. 626, 629-30 (1962); Erlin Co. S.A. v. Johnson, 440 F.3d 648, 654 (4th Cir. 2006); FED. R. CIV. P. 41(b). Plaintiff is already three months late in prosecuting his action or obeying this Court's Order. Therefore, the Court dismisses Plaintiff's case with prejudice.

**IT IS, THEREFORE, ORDERED** that:

1. Plaintiff's Complaint, (Doc. No. 1), is **DISMISSED with prejudice**.

Signed: September 28, 2011



Robert J. Conrad, Jr.  
Chief United States District Judge

